

Independent Claim 21 provides, *inter alia*, that the two separate waist belts ... "extend generally in said longitudinal direction, one end of each of the two separate belts is permanently fastened directly or indirectly to the absorbent part, and opposite ends of each of the two separate belts extend in respective directions from said absorbent part and **are adapted to be fastened together** around a wearer of the garment." (emphasis added).

Applicants respectfully submit that the analysis of Herrin et al. in the Office Action appears to be based on a misunderstanding of the Herrin et al. publication. In particular, the Office Action states, "[t]he waist belts 30 are attached at one end to the absorbent part 21, and are fully capable of being fastened together around the wearer of the garment 20." However, Herrin et al. mention in several places that the belts are secured to an upper peripheral end portion of a disposable undergarment panel. See, e.g., col. 3, ll. 45-51; col. 4, ll. 30-33; col. 5, ll. 36-39; col. 6, ll. 24-30; col. 7, ll. 44-47; last clause of Claim 1; Claims 6, 7, and 16; last clause of Claim 27. Nowhere do Herrin et al. disclose or suggest that the belts can be attached to each other. Figures 1 and 2 of Herrin et al. also clearly support this proposition. The waist belts 30 are attached to the upper peripheral portions of the undergarment panel 21 on **both ends**, not to each other at one end.

Moreover, throughout the description, where fastening means are mentioned, the same type of fastener, e.g., hooks, are provided at the ends of the belts. For example, col. 3, ll. 45-51 provides:

Additionally, the first and second embodiments of a disposable undergarment waistband preferably also include non-elasticized end portions of the first and second layers and **either a hook or a loop type fastener secured to each of the end portions for fastening to a mating hook or loop type fastener secured to an**

upper peripheral end portion of a disposable undergarment panel. (emphasis added).

It follows that there are no suitable means to fasten the belts to each other.

Additionally, in Claim 21 of the instant application, "one end of each of the two separate belts is **permanently** fastened directly or indirectly to the absorbent part." (emphasis added). Such a feature is not disclosed or suggested in any of the embodiments found in Herrin et al. See, e.g., col. 4, ll. 33-37 ("which can readily attach to numerous types and sizes of disposable undergarments"); col. 5, ll. 36-39 ("**detachably** connected to upper peripheral portions of an undergarment panel") (emphasis added).

Thus, Herrin et al. do not disclose or suggest each and every element of the presently claimed invention. In light of the above, Applicants respectfully submit that Claims 21-25 are not anticipated by Herrin et al. Withdrawal of this rejection is respectfully requested.

Conclusions

From the foregoing, further and favorable consideration of the subject application in the form of a Notice of Allowance is believed to be in order.